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PATENT
Attorney Docket No. FORS-04623

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: James E. Dahlberg *et al.*
Serial No.: 09/660,924
Filed: 09/13/00
Entitled: **Rapid Detection and Identification of Pathogens**

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AMENDMENT TRANSMITTAL

Assistant Commissioner for Patents
Washington, D.C. 20231

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CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)(1)(i)(A)

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Dated: March 15, 2001 By: Mary Ellen Waite
Mary Ellen Waite

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Sir or Madam:

Transmitted herewith is an amendment for this application. The fee has been calculated as shown below.

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE	ADDITIONAL FEE
Total Claims	63	—	34	29	×	18.00	\$522.00
Independent Claims	14	—	6	4	×	80.00	\$320.00

SUBTOTAL \$842.00

Small Entity 50% Filing Fee Reduction — \$421.00

TOTAL DUE \$421.00

1. A check in the amount of **\$421.00** is attached.
2. Please charge any additional fees, including any fees necessary for extensions of time, or credit overpayment to Deposit Account No. 08-1290. An originally executed duplicate of this transmittal is enclosed for this purpose.

Dated: March 15, 2001

By:

Jason R. Bond
Jason R. Bond
Registration No. 45,439

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **James E. Dahlberg et al.**

Serial No.: **09/660,924**

Filed: **09/13/00**

Entitled: **Methods for Modifying an Oligonucleotide**

Group No.:

Examiner:

PATENT

FORS-04623

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SUPPLEMENTAL PRELIMINARY AMENDMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

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Dated: March 15, 2001

By: Mary Ellen Waite
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Sir/Madam:

The Applicants have copied claims 1-29 from U.S. Patent No. 6,121,001 ("001") in order to preserve the right to provoke an interference proceeding with the patentees of the '001 patent. The Applicants are currently investigating the possibility of pursuing such interference proceeding. Claims 1-29 of the '001 patent correspond, respectively, to the Applicants' Claims 79-107.

IN THE CLAIMS:

Please add the following New Claims:

79. (New) A method for modifying an oligonucleotide, the method comprising incubating under isothermal conditions the oligonucleotide, a polynucleotide, and a nuclease, wherein the oligonucleotide and the polynucleotide form a complex comprising an oligonucleotide and said polynucleotide in which at least a portion of the oligonucleotide is hybridized to the polynucleotide, wherein the isothermal conditions are at or near the melting temperature of the complex and wherein the oligonucleotide, when the portion is hybridized

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